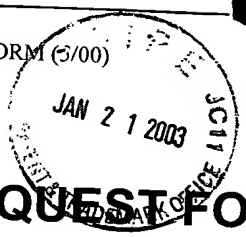
K&K FORM (3/00)



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE)

TRANSMITTAL FORM (37 C.F.R. § 1.114)

DOCKET NO.	APPLICATION SERIAL NO.	EXAMINER	ART UNIT
11701/53301	09/299,562	Sandra L. Wegert	1647

INVENTOR(S): Lajos HEGEDUS, Krisztina KREMPELS, Krisztina PAAL and Gabor PETHO

Address to:
Commissioner for Patents
Washington D.C. 20231

This is a **request for continued examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 09/299,562, filed on April 27, 1999, entitled **PHARMACEUTICAL COMPOSITIONS CONTAINING PLASMA PROTEIN.**

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

__X__ Amendment
_____ Information Disclosure Statement
_____ Drawing Changes
_____ Other Submission: _____

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS ADDED BY AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE ($) PER CLAIM	FEE ($)
BASIC FEE						750.00
TOTAL CLAIMS			94	1	18.00	18.00
INDEPENDENT CLAIMS				1	84.00	84.00
MULTIPLE DEPENDENT CLAIM			0	0	280.00	0.00
				*Number extra must be zero or larger	TOTAL	852.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL	0.00

EXPRESS NO. EL327554735US

2. Please charge the required RCE and submission filing fee of **$ 852.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

3. Applicants respectfully request a five-month extension of time in which to respond to the Notice of Appeal filed June 18, 2002 for which a response period expiring on August 18, 2002 was set. The extended period expires on January 18, 2003. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **$1,970.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

4. The Commissioner is hereby authorized to charge payment of fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

5. A copy of this transmittal form is enclosed.

Respectfully submitted,

Dated: Jan 21, 2003

By: _____
Siu K. Lo
Reg. No. 46,877

KENYON & KENYON
One Broadway
New York, New York 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)
CUSTOMER NO. 26646

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hegedus, et al.	)
Serial No.:	09/299,562	) Group Art Unit: 1647
Filed:	April 27, 1999	)
For:	Pharmaceutical Compositions Containing Plasma Protein	)
Examiner:	Sandra Wegert	)

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D.G.J
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JAN 27 2003
TECH CENTER 1600/2900

PRELIMINARY AMENDMENT

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

We gratefully acknowledge the telephonic examiner's interview on January 2, 2003 with Examiners Sandra Wegert, Elizabeth Kemmerer and Gary Kunz. As discussed in the interview, the present invention relates to a pharmaceutical formulation for parenteral use comprising a therapeutically active substance having a low aqueous solubility in combination with a plasma protein that enhances the water solubility of the therapeutic active substance.

Prior to examination, please cancel 30-37, 42-90, and 93-94 without prejudice.

Please add the following new claim in accordance with your suggestions:

95. (New) A pharmaceutical formulation for parenteral use having:
i) an aqueous solution including:
ii) a therapeutically active drug having a low aqueous solubility ($<1x10^{-4}$M), wherein the therapeutically active drug is selected from the group consisting of PACLITAXEL®, AMPHOTERICIN B®, camptothecin, CARBAMAZEPIN®, cyclosporin A, and PROPOFOL®, and

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